

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION**

MICROSOFT CORPORATION,

Plaintiff,

v.

L&Y ELECTRONICS, INC., *et al.*,

Defendants.

Case No. 1:08cv00596-GBL-JFA

**PLAINTIFF MICROSOFT CORPORATION'S
MOTION TO STRIKE DEFENDANTS' FOURTH,
FIFTH, EIGHTH AND NINTH AFFIRMATIVE DEFENSES**

Pursuant to Federal Rule of Civil Procedure 12(f), and for the reasons set forth in the accompanying memorandum of law, plaintiff and counter-defendant Microsoft Corporation hereby moves the court to strike the Fourth, Fifth, Eighth and Ninth Affirmative Defenses set forth in the Answer, Affirmative Defenses and Counterclaims [Dkt. No. 9, July 14, 2008] of defendants and counterclaimants L&Y Electronics, Inc., a Virginia corporation, John A. Linton, an individual, and Sangsoon Linton, an individual.

DATED this 4th day of August, 2008.

Respectfully submitted,

By /s/
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CERTIFICATE OF SERVICE

I hereby certify this 4th day of August, 2008, I will electronically file the foregoing with the Clerk of Court using the CM/ECF system, which will then send a notification of such filing (NEF) to the following individuals:

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